

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 24-20071-TP-MOORE/D'ANGELO

UNITED STATES OF AMERICA,

vs.

ANTONIO GARCIA ALBA,

Defendant.

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REPORT AND RECOMMENDATION ON SUPERVISED RELEASE VIOLATIONS

THIS CAUSE is before the Court following the referral of this action to the undersigned Magistrate Judge to take all necessary and proper action as required by law with respect to any and all violations of Supervised Release as to Defendant Antonio Garcia Alba (“Defendant”) (Case No. 24-TP-20071, DE 5).

A Petition for Warrant or Summons for Offender Under Supervision (“Petition”), detailing two alleged violations of Defendant’s Supervised Release, was submitted to the United States District Court for the Southern District of Texas in Case No. 17-CR-817 on April 11, 2024, and an arrest warrant subsequently issued (Case No. 17-CR-817, DE 61, 63). Jurisdiction over Defendant’s Supervised Release term was transferred from the Southern District of Texas to the Southern District of Florida on October 23, 2024 (Case No. 24-TP-20071, DE 1). Defendant was arrested and made his initial appearance in the Southern District of Texas on November 5, 2024 (Case No. 17-CR-817, DE 66). Defendant was transported to the Southern District of Florida, where he made his initial appearance on November 27, 2024 and was detained pending resolution of this matter (Case No. 24-TP-20071, DE 3).

On December 12, 2024, the Court held a status conference, at which defense counsel requested more time to speak with Defendant about resolution of this matter. On January 3, 2025,

Defendant filed a Notice of Admission to Violations of Supervised Release (Case No. 24-TP-20071, DE 12). In the Notice, Defendant stated that he admits to violations one and two in the Petition (*id.*). He further stated that he discussed the potential penalties and the right to have a contested hearing with his counsel (*id.*).

Based on the foregoing, the undersigned respectfully recommends that the Court set the matter for a final revocation hearing and sentencing and accept Defendant's admission of guilt to violations one and two, as set forth in the Petition.

The Parties will have **fourteen (14) business days** from the date of service of this Report and Recommendation within which to file written objections, if any, for consideration by the United States District Judge. Failure to timely file objections will bar a *de novo* determination by the District Judge of anything in this Report and Recommendation and shall constitute a waiver of a party's "right to challenge on appeal the district court's order based on unobjected-to factual and legal conclusions." 11th Cir. R. 3-1 (2016); 28 U.S.C. § 636(b)(1)(C); *see also Harrigan v. Metro-Dade Police Dep't Station #4*, 977 F.3d 1185, 1191–92 (11th Cir. 2020).

RESPECTFULLY SUBMITTED in Chambers in Miami, Florida on this 3rd day of January, 2025.



ELLEN F. D'ANGELO
UNITED STATES MAGISTRATE JUDGE

cc: All Counsel of Record